



North Carolina Department of Crime Control and Public Safety

Michael F. Easley, Governor

Bryan E. Beatty, Secretary

August 4, 2005

The Honorable Marc Basnight
President Pro-Tempore
North Carolina Senate
Legislative Building, Room 2007
Raleigh, NC 27601-2808

The Honorable James B. Black
Co-Speaker of the House
North Carolina House of Representatives
Legislative Building, Room 2304
Raleigh, NC 27601-1096

Dear Senator Basnight and Speaker Black:

Pursuant to applicable state law, the North Carolina Alcohol Law Enforcement Division respectfully reports its intent to use \$615,092.00 in Federal Seizure funds for the following:

1. \$175,872.00 to Purchase 800MHz Portable Radios and Related Accessories

Given the nature of law enforcement, police officers are continuously exposed to dangerous circumstances nearly every moment of every shift. The fact that ALE agents tend to work alone and at night increases their risks exponentially. Investigations and inspections of rural businesses and vehicle traffic stops in secluded areas are two such instances in which agents are most vulnerable. The ability for agents to be able to contact communications centers for back-up or other assistance can literally be the difference between life and death. With the trend for local agencies and the State Highway Patrol, who provides primary communications for ALE, moving to 800MHz communications systems, it is vitally important that ALE provide its agents with the tools that not only make their jobs easier, but also ensure their safety. Currently, just over half of ALE's sworn force is equipped with an 800MHz portable radio. This purchase would allow all sworn members to be equipped with the radios and purchase necessary accessories

MAILING ADDRESS:
4701 Mail Service Center
Raleigh, NC 27699-4701
Telephone: (919) 733-2126



www.NCCrimeControl.org

An Equal Opportunity/Affirmative Action Employer

OFFICE LOCATION:
512 N. Salisbury Street
Raleigh, NC 27604-1159
Fax: (919) 715-8477



(extra batteries, chargers, etc) for all of ALE's 800MHz radios. The total for this request is offset by a Federal Grant in the amount of \$93,000.00 awarded to ALE for the acquisition of communications equipment.

2. \$149,720.00 to Replace Vehicle Radio Communication Systems

As is the case with the 800MHz portable radio request detailed above, an officer's vehicle radio is one of their most essential pieces of issued equipment. With the increase in drug trafficking on interstates, highways and back roads, an agent never knows if the vehicle they are stopping is occupied by an underage drinker or a wanted felon who would not hesitate to bring injury or death about in order to facilitate an escape. It is imperative for an agent to receive and relay as much information as possible about a vehicle or individual before and during an enforcement contact. At present, the vehicle radios in over half of ALE's fleet vehicles are over 15 years old and are failing at a high rate. It is no longer cost-effective to continue to repair these old, antiquated units when they can be reasonably replaced with brand-new equipment. This purchase would streamline ALE's vehicle radio communications by outfitting all vehicles with the same make and model.

3. \$172,500.00 to Replace Shotguns with Rifles

Yet another item of equipment critical to the performance of law enforcement duties is the firearm. In the past, agencies have traditionally relied on a standard 12 gauge shotgun as the long gun of choice. However, due to liability and training issues, the trend has been to transition to rifles. The reasoning being; for typical law enforcement use, a shotgun is capable of firing two types of projectiles: a one-piece heavy "slug" and a buckshot round comprised of 9 small "pellets." The downside to firing the slug shell is the violent recoil associated with the round, making control of the weapon after firing difficult and disorienting. With the buckshot round, a pattern comprised of the 9 pellets is released and spreads after firing. This pattern cannot be adequately controlled over longer distances, increasing the potential for the accidental injury or death of third parties.

Several law enforcement agencies, including the State Highway Patrol and State Bureau of Investigation, have already included rifles in their inventory. Reasons cited for such a change are the weapon is easier to control following the discharge of a round; and the accuracy of the weapon is far superior to the shotgun, reducing the risk of collateral damage. Currently, ALE has several different varieties of 12 gauge shotguns issued to agents. While all the shotguns are similar, each has unique characteristics that agents must be trained on and familiar with, as they never know when they will be forced to use another agent's weapon in the heat of battle. The new weapons would be identical to one another, saving training time and reducing the chance that an agent would be forced to use an unfamiliar weapon. Now would be the ideal opportunity to replace all of ALE's shotguns, many of which are over 20 years old, unsafe and failing, with rifles. This request also includes items such as carrying cases, slings and ammunition for the new weapons.

4. \$27,300.00 to Replace Field Coats and Raid Jackets

ALE agents frequently work assignments where they must be readily identifiable to the public and/or suspects. Events such as executing search warrants, conducting vehicle (DWI) check points, and overt enforcement campaigns are prime examples of times when the identity of an agent must never be questioned. One method of ensuring recognition of law enforcement personnel is through uniform clothing, in this case, a jacket designed to clearly designate the wearer as a law enforcement officer. The jackets that ALE currently issues to its personnel are over 10 years old and are in need of replacement. With this purchase, ALE intends to replace a heavy flight coat and a light-weight raid jacket with one piece of clothing that has a removable warm liner and could be worn in both cool and warm weather. This garment is water resistant to ensure comfort and performance in wet conditions and also has a chemical resistant shield to protect the wearer from chemical spills and body fluids.

5. \$83,200.00 to Replace Ballistic Vests

Earlier this year, a Federal civil suit was brought against Second Chance, a manufacturer of ballistic (bullet-proof) vests, and their provider of the ballistic fiber Zylon used in construction of the vests, for conspiring hide the fact that the Zylon fiber deteriorated at a much higher rate than previously specified. Since the filing of the suit, Second Chance has filed for Chapter 11 Bankruptcy protection. Unfortunately, all of the ballistic vests owned by ALE were manufactured by Second Chance. A new State Contract bid for ballistic vests has been prepared and is due to close on August 11, 2005. With this purchase, ALE would provide new ballistic vests to all its agents.

6. \$6,500.00 to Replace Equipment Bags

ALE needs to replace their old issued equipment bags with new bags designed to accommodate more items, making them readily available when the need arises. These bags hold items such as; handcuffs, boots, pepper spray, jackets, flashlights and other necessary police equipment. The current bags are over 10 years old and have aged to the point they are in need of replacement.

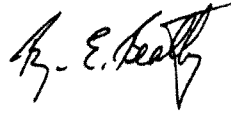
Item Description Expenditure

1.	800mHz Portable Radios and Accessories	\$175,872.00
2.	Vehicle Radio Communications Systems	\$149,720.00
3.	Rifles	\$172,500.00
4.	Jackets	\$ 27,300.00
5.	Ballistic Vests	\$ 83,200.00
6.	Equipment Bags	\$ 6,500.00

Total \$615,092.00

As of August 2, 2005, the balance of the Federal Seizure Fund held by the Alcohol Law Enforcement Division was \$767,451.57. If these requests are approved, the remaining balance will be \$152,359.57.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan E. Beatty". The signature is stylized with a large, looped initial "B" and a long, sweeping horizontal line extending to the right.

Bryan E. Beatty
Secretary

cc: Deputy Secretary Gerald A. Rudisill
Director M.D. Robertson
Bennie Aiken, Controller